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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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12 JUNE LYNCH, an individual,) CASE NO. CV 16-2288-R

13)

14 Plaintiff,) ORDER GRANTING DEFENDANT'S
15) MOTION TO DISMISS PLAINTIFF'S
16) COMPLAINT

17 v.)

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Defendants.

21 Before the Court is Defendant Access Service's Motion to Dismiss Plaintiff's Complaint,
22 which was filed on April 27, 2016 (Dkt. No. 10). This Matter was taken under submission on
23 June 1, 2016.

24 Federal courts may refrain from hearing cases in order to avoid interfering with a state
25 proceeding. *Quackenbush v. Allstate Ins. Co.*, 517 U.S. 706, 716-17 (1996); *Juidice v. Vail*, 430
26 U.S. 327, 335 (1977). Cases that "are duplicative of a pending state proceeding" are one such
27 example of a situation where abstention may be appropriate. *Quackenbush*, 517 U.S. at 717.
28 "Abstention is appropriate [1] in cases presenting a federal constitutional issue which might be

1 mooted or presented in a different posture by a state court determination of pertinent state law . . .
2 [2] where there have been presented difficult questions of state law bearing on policy problems of
3 substantial public import whose importance transcends the result in the case then at bar . . . [or 3]
4 where, absent bad faith, harassment, or a patently invalid state statute, federal jurisdiction has been
5 invoked for the purpose of restraining state criminal proceedings.” *Colo. River Water*
6 *Conservation Dist. V. United States*, 424 U.S. 800, 814-16 (1976) (citations omitted) (internal
7 quotation marks omitted).

8 Plaintiff brings a federal action arising out of the claims and defenses originating in the
9 parties’ state action. This Court need not waste its resources hearing a case where the same
10 parties, concerning the same facts, are already in the midst of state court litigation on the same
11 issues. While Plaintiff asserts federal claims before this Court, these claims could have easily
12 been resolved as ancillary claims within the state court proceeding. *Pennzoil Co. v. Texaco, Inc.*,
13 481 U.S. 1, 15 (1987) (“when a litigant has not attempted to present his federal claims in related
14 state-court proceedings, a federal court should assume that state procedures will afford an
15 adequate remedy, in the absence of unambiguous authority to the contrary”). Although Plaintiff
16 cites a number of procedural hurdles that would make adding these claims apparently tedious,
17 Plaintiff has not asserted that state law would have prohibited Plaintiff from asserting these claims
18 in the state proceeding—provided Plaintiff follow the state court’s rules and deadlines. This Court
19 therefore may rightly employ its discretion to GRANT Defendant’s Motion to Dismiss Plaintiff’s
20 Federal Complaint.

21 **IT IS HEREBY ORDERED** that Defendant’s Motion to Dismiss is GRANTED. (Dkt.
22 No. 10).

23 Dated: June 13, 2016.

A handwritten signature in blue ink, appearing to read "Real".

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MANUEL L. REAL
UNITED STATES DISTRICT JUDGE